

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:23-cv-67-MOC**

HANNAH DAWN LITTLE,

Plaintiff,

vs.

**KILOJO KIJAKAZI,
Acting Commissioner of Social Security,**

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff's motion, through counsel, to dismiss this action. (Doc. No. 4). Here, as counsel notes in the motion, Plaintiff has failed to pay the filing fee, and Plaintiff has not responded to counsel's multiple attempts to communicate with Plaintiff. The Court finds that this matter shall be dismissed for failure to prosecute. The Court makes the following findings:

1. On May 16, 2023, Plaintiff, an Iredell County resident, filed her Complaint against the Commissioner of Social Security (Doc. 1), along with her Motion to Proceed in forma pauperis. (Doc. 2).

2. On June 9, 2023, the Court issued an Order denying Plaintiff's Motion to Proceed in forma pauperis and instructing her to pay the filing fee. (Doc. 3).

3. On June 13, 2023 and June 22, 2023, Plaintiff's counsel's staff emailed Plaintiff informing her of the Order denying the Motion to Proceed in forma pauperis and inquiring of

Plaintiff if she wished to pay the filing fee and proceed with her appeal. No response was received to either email.

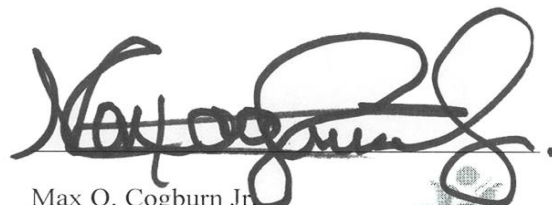
4. On June 15, 2023, counsel's staff called and left a message for Plaintiff again informing her of the Order requesting therein a return call to discuss if (1) she desired to proceed with her appeal; and (2) to arrange for payment of the filing fee.

5. On June 20, 2023, counsel's staff called and sent text messages to both Plaintiff and her spouse informing them of the Order denying the Motion to Proceed in forma pauperis and asking how they wished to proceed.

6. Plaintiff has not responded to counsel's multiple outreach attempts, nor has she paid the filing fee. Therefore, it appears that Plaintiff does not intend to prosecute this matter.

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Dismiss, (Doc. No. 4), is **GRANTED**, and this matter is dismissed without prejudice based on Plaintiff's failure to prosecute this action.

Signed: December 6, 2023



Max O. Cogburn Jr.
United States District Judge